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SYN. NO. _____

AGN. NO. _____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

September 5, 2006

On June 29, 2006, the United States House of Representatives passed H.R. 4761, the Deep Ocean Energy Resources Act of 2006, a bill co-sponsored by House Resources Chairman Richard Pombo (R-CA) that would open previously protected ocean waters in California and nationwide to new off-shore oil and gas drilling. This expansive drilling legislation jeopardizes a long-standing bipartisan commitment to protect our nation's coastlines, beaches and coastal economies from additional oil and gas leasing and development.

H.R. 4761 would replace the 25-year old national off-shore drilling moratorium with a petition process to restore current protections. States would have one year to petition the Secretary of the Interior to prevent gas exploration and three years to petition against oil drilling, repeating the processes every five years or leasing would commence. In addition, the bill contains troubling provisions weakening state authority to determine new gas pipeline routes in waters under their jurisdiction; undermining state ability to comment on Federal drilling proposals off of their coasts; and provides financial incentives for drilling in sensitive waters within a few miles of the beach.

MOTION

MOLINA _____

BURKE _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

Drilling development is a serious threat to marine habitat, wildlife, and water resources that puts at risk various beneficial uses such as beach recreation, fishing, boating, sailing, tourism, and scenic quality. Lifting the ban on off-shore oil drilling is an exploitation of our coastal ecosystems that is short-sighted. California's coastal resources deserve continued national protections from off-shore oil and gas drilling that are uniform, effective and permanent.

I, THEREFORE, MOVE that the Board oppose H.R. 4761, the Deep Ocean Energy Resources Act of 2006, or any other legislation which would eliminate the ban on off-shore oil drilling in California, and instruct our Washington, D.C. advocates to communicate this position to the author and the County's Congressional Delegation.

GK I:\HR4761



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September 1, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

**MOTION TO OPPOSE H.R. 4761, THE DEEP OCEAN ENERGY RESOURCES ACT
OF 2006 (ITEM NO. 9, AGENDA OF SEPTEMBER 5, 2006)**

Item No. 9 on the September 5, 2006 agenda is a motion by Supervisor Yaroslavsky recommending that the Board oppose H.R. 4761 (Pombo, R-CA), the Deep Ocean Energy Resources Act of 2006, and communicate this position to the author and the County's Congressional Delegation.

Over the past 25 years, waters within the Outer Continental Shelf (OCS) off the coast of California have been protected by Presidential executive orders and a Congressional moratorium on oil and gas development. Since the OCS moratorium was passed in 1981, Congress has voted to renew the ban on off-shore drilling every year. After the environmental disaster resulting from the Exxon Valdez oil spill in 1990, former President George H. W. Bush issued an executive order in 1991 to prohibit new leasing in the OCS until 2002. In 1998, former President Bill Clinton extended these protections to 2011.

H.R. 4761, which passed the House on June 29, 2006, would revoke all the Presidential executive orders protecting the OCS and significantly change Federal policy on new off-shore oil and gas drilling. The bill also would decrease environmental protections and open previously protected ocean waters in California to new off-shore oil and gas drilling. It would end the 25-year old bipartisan commitment to protect areas 100 miles or more off the coast from oil and gas development. The ban on oil and gas development between 50 miles and 100 miles off the coast also would be eliminated and replaced with a petition process to restore current protections. A state "through its

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Governor and upon concurrence of its legislature" would have one year to petition the Secretary of the Interior to prevent natural gas leasing, and three years to petition against oil and gas leasing. This process must be repeated every five years or leasing could commence. To encourage new oil drilling between three miles and 50 miles off the coast, the bill would provide new financial incentives in the form of significant oil royalties to states that adopt a measure to permit new drilling in near-shore waters.

On August 1, 2006, the Senate passed a narrower off-shore drilling bill, S. 3711 (Domenici, R-NM), which would open previously protected waters only along part of the Gulf of Mexico to oil and gas development. S. 3711 does not affect California. Differences between the House and Senate bills will need to be reconciled in a conference committee. At the State level, the Legislature adopted A.J.R. 55 on August 23, 2006, to oppose off-shore oil and gas exploration in general, and H.R. 4761 in particular.

Opposition to H.R. 4761 or similar legislation is consistent with current Board policy in the Federal Legislative Agenda to oppose initiatives to renew off-shore drilling.

DEJ:GK
MAL:JF:LY:hg

c: Executive Officer, Board of Supervisors
County Counsel
Department of Beaches and Harbors
Department of Public Works